



Docket No.: 1594.1364

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Han Jun SUNG et al.

Serial No. 10/820,134

Group Art Unit: 3744

Confirmation No. 6666

Filed: April 8, 2004

Examiner: Michael Jacoby EARLY

For: GRILL COOKER AND MULTIPURPOSE COOKING APPARATUS HAVING THE SAME

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed May 21, 2007.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the reasons refer to a combination. However, the claims do not recite a combination.

The foregoing is merely meant to be exemplary, and does not point out all of the



Serial No. 10/820,134

discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

The reasons also include descriptions and characteristics of selected items of prior art. It is submitted that such characterizations are not proper "reasons for allowance" as directed by 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14. In particular, a discussion of the prior art is specifically identified in Example (F) of M.P.E.P. §1302.14 as a statement which is not a suitable reason for allowance.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

By:


Michael J. Badagliacca
Registration No. 39,099

Date: 8-1-07

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501